

Town Board Minutes
(Municipal Review Committee)

Meeting
No. 15

Special Meeting

May 15, 2006

Town Board Minutes

May 15, 2006

Meeting No. 15

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 15th day of May 2006, at 6:30 PM and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR
REBECCA ANDERSON, PLANNING BOARD MEMBER
JOHN GOBER, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER

ABSENT: MARK MONTOUR, COUNCIL MEMBER
MICHAEL MYSZKA, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for one (1) action.

IN THE MATTER OF THE SEQR REVIEW OF

ALBERTI LANDSCAPING INC. SITE PLAN

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Albert Landscaping Inc. site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER ANDERSON
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

ALBERTI LANDSCAPING INC. SITE PLAN

To table this matter pending a determination by the United States Army Corps of Engineers regarding the presence of a possible wetland area at the project site.

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 2.06 acres.

The location of the premises being reviewed is situate at 491 Erie Street, County of Erie, Lancaster, New York.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will not result in a physical change to the project site.
2. The proposed action will not affect any unique or unusual land forms found on the site.
3. The proposed action may have an affect on a water body designated as protected.
 - The project site may be located at or near a federal wetland area.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will not affect surface or ground water quality or quantity.

It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is not required; however, best management practices are required.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. The proposed action may have a small to moderate impact on threatened or endangered species.
 - Pesticide or herbicide may be used for lawn care.
9. The proposed action will not substantially affect non-threatened or non-endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
15. The proposed action will not affect existing transportation systems.

16. The proposed action will not affect the community's sources of fuel or energy supply.
17. There will not be objectionable odors, noise, or vibration as a result of this proposed action.
18. The proposed action will not affect public health and safety.
19. The proposed action may have a small to moderate affect on the character of the existing community.
 - There could be a moderate increase in demand for police and fire services.
20. There is not, nor is there likely to be, public controversy related to potential adverse environmental impacts.

The question was duly put to a vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBEK	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	WAS ABSENT
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT

The resolution tabling this matter was thereupon adopted.

May 15, 2006

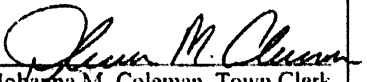
ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER GOBER AND SECONDED BY
COUNCIL MEMBER RUFFINO FOR ADJOURNMENT OF THE MEETING, which resulted
as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYZKA	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	WAS ABSENT
PLANNING BOARD CHAIRMAN KEYSA	WAS ABSENT

The meeting was adjourned at 6:54 P.M.

Signed


Johanna M. Coleman, Town Clerk

Town Board Minutes

Meeting No.16

Regular Meeting

May 15, 2006

Town Board Minutes

May 15, 2006

Meeting No.16

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 15th day of May 2006 at 8:00 P.M. and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
TERRENCE McCRACKEN, GENERAL CREW CHIEF
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

EXECUTIVE SESSION:

UPON MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER MONTOUR, to deliberate in Executive Session for the announced purpose of discussing a particular personnel matter in the Police Department which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

At 9:20 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matters:

- Memorandum of Understanding regarding maintenance of real property assessments at a uniform percentage of value

Chowaniec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matter:

- Parkhaven Patio Homes

Boni, Laurie, 3690 Walden Avenue, spoke to the Town Board on the following matter:

- Town Sewer Districts 1 & 2

Fronczak, Mike, 3 Woodstream, spoke to the Town Board on the following matter:

- Heritage Trail

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

- Heritage Trail grant
- Heritage Trail route
- Freedom, Open Meeting Law, Sunshine Law

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:31 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Vehicle & Traffic Ordinance of the Town of Lancaster for stop & yield intersections in Country Club Gardens Subdivision.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
None		

ON MOTION BY COUNCIL MEMBER RUFFINO, AND SECONDED BY COUNCIL MEMBER STEMPNIAK, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:32 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

May 15, 2006

PUBLIC HEARING SCHEDULED FOR 8:35 P.M.:

At 8:35 P.M., the Town Board held a Public Hearing to hear all interested persons upon an application for a Special Use Permit for a Home Occupation (dog grooming services) at 33 Meadow Lea Drive.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Lynette Metzger, the petitioner	33 Meadow Lea Drive	Proponent

ON MOTION BY COUNCIL MEMBER RUFFINO, AND SECONDED BY COUNCIL MEMBER AMATURA, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:41 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

May 15, 2006

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the
Planning Board held May 1, 2006 and the Regular Meeting of the Town Board held May 1, 2006
be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, the Town of Lancaster is the owner of a parcel on Mechanic Street in the Village of Lancaster which was conveyed by the Village to the Town and which site includes two (2) tennis courts, and

WHEREAS, the Town Board deems it in the public interest to cause renovations to the tennis courts and recreational facilities at this park known as Mechanic Street Park.

NOW THEREFORE, BE IT

RESOLVED, that Robert H. Giza, as Supervisor of the Town of Lancaster, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or the Federal Land and Water Conservation Fund Act of 1965, in an amount not to exceed \$150,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Lancaster for Mechanic Street Park Renovation and Expansion and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Highway Superintendent, by letter dated May 5, 2006, has requested the appointment of a seasonal employee in the Highway Department of the Town of Lancaster for the summer season of 2006.

NOW, THEREFORE, BE IT

RESOLVED, that John Arcese, 77 Hawley Street, Lancaster, New York 14086 is appointed to the position of seasonal employee for the summer season of 2006 in the Highway Department of the Town of Lancaster, with no benefits, effective May 30, 2006 and terminating September 15, 2006 at the hourly rate of \$8.50 per hour.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

File: Rpers seasonal.wpd (P11)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, the Town Board has been reviewing capital improvements to the water system in the Town of Lancaster and is required by New York State Department of Transportation (DOT) to enter into a betterment agreement for the replacement of waterlines on Transit Road and Freeman Road as a part of the DOT state road improvement project, and

WHEREAS, the Town has met with its Engineer, Wm. Schutt & Associates, P.C. (WSA) and determined that WSA should prepare a map plan and report for Town wide water system improvements which will be required to enable the Town to borrow funds to pay for the improvements undertaken;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes William Schutt & Associates, P.C. to prepare the map plan and report for Town wide water system improvements.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

File: rwatersystemimprovements506

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning - Section 17 (F) of the Code of the Town of Lancaster, upon the application of **LYNETTE M. METZGER** for a Special Use Permit for a Home Occupation (dog grooming service) on premises located at 33 Meadow Lea Drive, Lancaster, New York, and

WHEREAS, persons for and against such Special Use Permit have had an opportunity to be heard;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **LYNETTE M. METZGER** for a Home Occupation (dog grooming service) on premises located at 33 Meadow Lea Drive, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Section 17 (F), of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, namely:

- a. Only persons residing on the premises shall be engaged in such an occupation;
- b. The home occupation shall be clearly incidental and subordinate to the use of of the premises for residential purposes. The area devoted to the home occupation shall not exceed twenty-five percent (25%) of the ground floor area of the principal structure. It may be within the principal accessory structure;
- c. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation;
- d. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors or electrical interference perceptible to the normal senses off the lot;
- e. There shall be no outdoor sign advertising this business;
- f. This Special Use Permit terminates when the applicant no longer resides on the premises.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board, by resolution dated May 1, 2006, appointed Nicole Gunsher, to the position of Program Coordinator, full time, in the Youth Bureau of the Town of Lancaster, having qualified for this position as she successfully passed a civil service examination and placed among the top three (3) candidates, and

WHEREAS, the Town Board wishes to amend this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the first **BE IT FURTHER RESOLVED** in the resolution of May 1, 2006 be amended to read "The Town Board wishes to stipulate that in recognition of Nicole Gunsher having provisionally served in this position for a period of five months, her probationary period will be for a period of eight (8) weeks beginning on the date of this permanent appointment which is May 1, 2006."

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

File: RPERSON.CIV (18)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED IT'S ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, a Public Hearing was held on the 15th day of May, 2006 for the purpose of amending Chapter 46 - Vehicle and Traffic Ordinance of the Code of the Town of Lancaster and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and posted:

NOW, THEREFORE, BE IT

RESOLVED, as follows:

- a. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on May 15, 2006;
2. That a Certified Copy thereof be published in the Lancaster Bee on May 18, 2006;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

File: rvtordchpt46stopsigns506a

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

CHAPTER 46

ARTICLE VIII - Stop Intersections; Non-Intersection Stops; Yield Intersections

46-8.1 Stop Intersections designated, is hereby amended by adding thereto the following:

COUNTRY CLUB GARDENS SUBDIVISION

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
Muirfield Lane	Pavement Road	N.E. Corner
Muirfield Lane	Sawgrass Lane	S.W. Corner
Sawgrass Lane	Broadway	N.W. Corner

May 15, 2006

**STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :**

THIS IS TO CERTIFY that I, **JOHANNA M. COLEMAN**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 15th day of May, 2006 and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 15th day of May, 2006.

Johanna M. Coleman, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED IT'S ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the General Crew Chief, by letter dated May 9, 2006, has requested the appointment of seasonal employees in the Parks, Recreation and Forestry Department of the Town of Lancaster for the spring/summer of 2006.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed to the position of seasonal employees for the spring/summer of 2006 in the Parks, Recreation and Forestry Department of the Town of Lancaster, with no benefits at the following hourly rate:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Andrea Berry (rehire) 420 Hall Road, Elma	Recreation Attendant (Tennis Instructor)	\$7.00 hr.
Benjamin Berry (new hire) 420 Hall Road, Elma	Recreation Attendant (Tennis Instructor)	\$6.75 hr.
George Besch (rehire) 39 Lake Avenue, Lancaster	Recreation Attendant (Tennis Supervisor)	\$13.50 hr.
Amanda Dove (new hire) 3690 Walden Avenue, Lancaster	Recreation Attendant (Tennis Instructor)	\$6.75 hr.
Anthony Fronczak (rehire) 19 S. Irwinwood Road, Lancaster	Recreation Attendant (Tennis Instructor)	\$7.00 hr.
Cori Greenawalt (rehire) 10 Old Orchard Common, Lancaster	Recreation Attendant (Tennis Supervisor)	\$9.50 hr.
Aaron Hejmowski (rehire) 17 Briarwood Drive, Lancaster	Recreation Attendant (Tennis Instructor)	\$8.50 hr.
Kyle Hejmowski (rehire) 17 Briarwood Drive, Lancaster	Recreation Attendant (Tennis Instructor)	\$8.25 hr.
Katie Kestel (rehire) 28 Cornell Drive, Depew	Recreation Attendant (Tennis Instructor)	\$7.00 hr.
Michelle Page (new hire) 102 Simme Road, Lancaster	Recreation Attendant (Tennis Instructor)	\$6.75 hr.
Andrew Puleo (new hire) 44 Heritage Drive, Lancaster	Recreation Attendant (Tennis Instructor)	\$6.75 hr.
Deanna Stengel (rehire) 46 Court Street, Lancaster	Recreation Attendant (Tennis Instructor)	\$7.00 hr.
Thomas Suchy III (rehire) 18 Westwood Road, Lancaster	Recreation Attendant (Tennis Instructor)	\$6.75 hr.
Alex Barnhardt (new hire) 27 Ivy Way, Lancaster	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Paige Brennan (new hire) 33 Burwell Avenue, Lancaster	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Erin Fitzsimmons (rehire) 301 Lake Avenue, Lancaster	Recreation Attendant (Playground Attendant)	\$7.50 hr.
Andrew Gawron (new hire) 4808 William Street, Depew	Recreation Attendant (Playground Attendant)	\$6.75 hr.

Darcie Hanitz (new hire) 7 Schilling Court, Lancaster	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Andrea Horn (rehire) 62 Stutzman Road, Bowmansville	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Ryan Kaminski (new hire) 16 Fieldstone Lane, Lancaster	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Adam Koniniec (rehire) 50 Crane Street, Depew	Recreation Attendant (Playground Supervisor)	\$8.25 hr.
Jamie Kremer (rehire) 586 Lake Avenue, Lancaster	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Aaron Leon (rehire) 1 Matthews Drive, Lancaster	Recreation Attendant (Playground Supervisor)	\$8.00 hr.
Tania Martzolf (rehire) 404 Schwartz Road, Lancaster	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Lindsay Michalak (new hire) 4 Park Walk, Lancaster	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Courtney Monin (rehire) 57 Gale Drive, Lancaster	Recreation Attendant (Playground Attendant)	\$6.75 hr.
William Murray (new hire) 36 Signal Drive, Lancaster	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Lisa Myers (new hire) 18 Holland Avenue, Lancaster	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Kevin Stephan (new hire) 14 Main Street, Bowmansville	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Amy Skubis (rehire) 4981 Broadway, Depew	Recreation Attendant (Playground Supervisor)	\$8.75 hr.
Richard Wojciechowski (rehire) 95 S. Irwinwood Road, Lancaster	Recreation Attendant (Playground Supervisor)	\$13.00 hr.
Melissa Young (rehire) 10 Linden Avenue, Lancaster	Recreation Attendant (Playground Supervisor)	\$9.25 hr.
Joshua Durkin (new hire) 44 Center Drive, Depew	Laborer	\$6.75 hr.
Jesse Parrish (new hire) 42 Running Brook Drive, Lancaster	Laborer	\$6.75 hr.

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

File: Rpers.seasonal (1'5)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Office of Real Property Services of the State of New York has submitted a Memorandum of Understanding to the Town regarding the completion of work in the 2007 reassessment project, and

WHEREAS, the Town Board has reviewed the agreement and deems it appropriate to enter into the Memorandum of Understanding by which the Town Assessor will continue to maintain assessments at a uniform percentage of value;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into the agreement set out in a Memorandum of Understanding with the State of New York Office of Real Property Services regarding the continuing maintenance of assessments at a uniform percentage of value.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

File: rollicotrealproperty506

PREFILED RESOLUTION NO. 10 - MEETING OF 5/15/06

Stempniak/ _____

Approve Site Plan Alberti Landscaping Inc [Site Plan: Alberti
Landscaping Inc]

At the request of Council Member Stempniak, this resolution was withdrawn for
further study.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPIAK, TO WIT:

WHEREAS, a vacancy exists in the position of Clerk, temporary, part-time in the Supervisor's Office, and

WHEREAS, the Supervisor of the Town of Lancaster, has recommended the appointment of Jaclyn Coyne, 11 Oakwood Common, Lancaster, New York 14086 to fill the vacant position of Clerk, temporary, part-time in the Supervisor's Office.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

SECTION 1. That Jaclyn Coyne, 11 Oakwood Common, Lancaster, New York 14086, be and is hereby appointed to the position of Clerk, temporary, part-time in the Office of the Supervisor, working not more than nineteen and one-half (19 ½) hours per week.

SECTION 2. That Jaclyn Coyne be compensated at the rate of \$8.00 per hour.

SECTION 3. That this appointment is retroactive to May 8, 2006.

SECTION 4. That this appointment, being a part-time position, provides no health insurance, sick days, vacation or other fringe benefits not specifically mandated for part-time employees.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR. TO WIT:

WHEREAS, Bowen Road Acquisition, LLP, 2350 Union Road, West Seneca, New York 14224 has heretofore applied for approval of a 55 lot patio home development on a 12 +/- acre parcel to be known as "Parkhaven Patio Homes" located on the west side of Bowen Road across from the Bell Tower in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the preliminary plat and recommended approval of the development subject to certain conditions, and

WHEREAS, the Town Consulting Engineer has reviewed the final plat submitted by the developer and has offered comments on the plat, and

WHEREAS, the Town acting as lead agency has completed an environmental review in conformance with SEQR (State Environmental Quality Review) regulations and issued a Negative Declaration on May 3, 2004, and

WHEREAS, the Town Board of the Town of Lancaster has duly reviewed and considered the proposed development;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby approves the proposed 55 lot patio home development plan for Bowen Road Acquisition, LLP prepared by Greenman-Pedersen, Inc. dated May 5, 2006 and filed with the Town Clerk on May 11, 2006 to be known as "Parkhaven Patio Homes", for filing in the Erie County Clerk's office.
2. That building permits shall not be issued until such time as the developer:
 - a) submits a plan showing:
 - i) the location of sidewalks including those on Bowen Road;
 - ii) a road equivalent to 28 feet width including 24 feet of pavement with 2 foot gutter curbs; and
 - (b) the developer submits:
 - i) a soil boring for each building lot;
 - ii) drawing illustrating the garage door at a minimum of 18 feet from the interior edge of the front sidewalk when a sidewalk is to be installed.
3. That the Town Clerk be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the linen copy thereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	RECUSED
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board has previously duly advertised for public bids to remove the existing air conditioning unit at the Lancaster Public Library located at 5466 Broadway and cause the replacement of said air conditioner, and

WHEREAS, bids were received by the Town Clerk on May 12, 2006 and opened, and

WHEREAS, the General Crew Chief Terrence McCracken of the Department of Parks, Senior Facility and Buildings and Grounds of the Town of Lancaster has recommended award of the bid to Besch Mechanical Inc., 323 Central Avenue, Lancaster, New York for the sum of \$20,840;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid to remove the existing air conditioning unit at the Lancaster Public Library and cause the replacement of said air conditioner to BESCH MECHANICAL INC., 323 Central Avenue, Lancaster, New York 14086 in the amount of \$20,840 being the lowest responsible bidder in conformance with the specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

File: rlibraryairconditioner506a

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Director of Administration and Finance, to wit:

Claim No. 2132 to Claim No. 2361 Inclusive

Total amount hereby authorized to be paid: \$180,592.10

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

13629	Classic Roofing	94 Kennedy Ct	Er. Res. Add.
13630	Majestic Pools Inc	12 Candlestick Ct	Er. Pool-In Grnd
13631	Good Neighbor Fence Co	10 Glendale Dr	Er. Fence
13632	Rich Pools	394 Seneca Pl	Er. Pool-Abv Grnd
13633	City Fence Inc	5908 Broadway	Er. Fence
13634	McCabe, Scott	61 Carter St	Er. Garage (V/L)
13635	Kasprzak, Stephen	9 Running Brook Dr	Er. Shed
13636	Choops, Neal	183 Cemetery Rd	Er. Pool-Abv Grnd
13637	Scheidweiler, John	23 E Drullard Ave	Er. Deck (V/L)
13638	Duro-Shed Inc	7 Arrow Trl	Er. Shed
13639	C. A. Morris LLC	4779 Transit Rd	Er. Sign-Temp
13640	C. A. Morris LLC	4779 Transit Rd	Er. Sign
13641	City Fence Inc	15 Willow Ridge Ln	Er. Fence
13642	Lamparelli, Nicholas	27 Madison St	Er. Pool-Abv Grnd (V/L)
13643	Corcoran, Kevin	3 Overlook Ct	Er. Deck
13644	Duro-Shed Inc	133 Irwinwood Rd	Er. Shed (V/L)
13645	Piersa, John	80 Transit Blvd	Er. Shed
13646	Majestic Pools Inc	65 Nichter Rd	Er. Pool-Abv Grnd
13647	Gordon Jones Assoc	5949 Broadway	Er. Comm. Add.
13648	Hill, James	736 Aurora St	Er. Res. Alt.
13649	Armor Fence Co	49 Charlton Pl	Er. Fence
13650	Hedges, Linda	5686 Genesee St	Er. Garage
13651	Becker, Patrick	14 Birchwood Com	Er. Pool-Abv Grnd
13652	Casheba, Chris	751 Aurora St	Er. Shed
13653	Casheba, Chris	751 Aurora St	Er. Deck
13654	Imperial Fence Co	246 Warner Rd	Er. Fence
13655	Village Fireplace	2 Northwood Dr	Er. Fireplace
13656	Majestic Pools Inc	18 Avian Way	Er. Pool-In Grnd
13657	Majestic Pools Inc	18 Avian Way	Er. Fence
13658	Penner, Paul	151 Fourth Ave	Er. Fence (V/L)
13659	Lancaster Home Imp	100 Oxford Ave	Er. Garage
13660	Flannigan, Kevin	24 Hunters Dr	Er. Shed
13661	Bishop, Richard	63 Sawyer Ave	Er. Garage (V/L)
13662	City Fence Inc	12 Deerpath Dr	Er. Fence

13663	Dehn, Todd	5596 Genesee St	Er. Garage	
13664	Hassenbohrer, Al	1062 Townline Rd	Er. Deck	
13665	Kaz Brothers Const	16 Hunters Dr	Er. Res. Add.	
13666	Malczewski, Nicole	55 Michael Anthony Ln	Er. Res. Add.	
13667	Duro-Shed Inc	5 Huntington Ct	Er. Shed	
13668	Pasieka, Gregory	8 Ryan St	Er. Shed	
13669	Sikora, Jeff	97 Newberry Ln	Er. Shed	
13670	Duro-Shed Inc	37 Shadyside Ln	Er. Shed	
13671	Adolf, John	535 Harris Hill Rd	Er. Res. Add.	
13672	Picket Fence	48 Michael Anthony Ln	Er. Fence	
13673	Pace, John	24 Avian Way	Er. Shed	
13674	Migliaccio Const.	41 Cedar Brook Dr	Er. Res. Add.	
13675	Majestic Pools Inc	5 Ryan St	Er. Pool-In Grnd	
13676	Majestic Pools Inc	5 Ryan St	Er. Fence	
13677	Marrano/Marc Equity	2 Avian Way	Er. Dwlg.-Sin.	
13678	Schnorr, August	460 Pleasant View Dr	Dem. Shed	
13679	Heritage Fence Co	46 Lombardy St	Er. Fence	(V/L)
13680	Wood Artistry	533 Harris Hill Rd	Er. Deck	
13681	Forbes Homes Inc	40 Sawgrass Ln	Er. Dwlg.-Sin.	
13682	Rich Pools	45 Quincy Ave	Er. Pool-Abv Grnd	(V/L)
13683	Duro-Shed Inc	197 Siebert Rd	Er. Shed	
13684	Leisurewood Design	18 Creekwood Dr	Er. Deck	
13685	Fences By Guardian	30S Irwinwood Rd	Er. Fence	(V/L)
13686	Beauty Pools Inc	9 Kelly Ann Dr	Er. Fence	
13687	Beauty Pools Inc	9 Kelly Ann Dr	Er. Pool-In Grnd	
13688	Iroquois Fence Inc	11 Fox Trace	Er. Fence	
13689	Heritage Fence Co	353 Iroquois Ave	Er. Fence	
13691	Lynch, David	10 Squirrel Run	Er. Pool-Abv Grnd	
13692	Classic Fence	41 Briarwood Dr	Er. Fence	(V/L)
13693	Expert Fence Co	228 Broczel Ave	Er. Fence	
13694	Sun Enterprises Inc	18 Nottingham Ln	Er. Shed	
13695	Sun Enterprises Inc	20 Avian Way	Er. Shed	
13696	Ryan Homes	25 St Anthony St	Er. Dwlg.-Sin.	
13697	Duro-Shed Inc	43 Trentwood Trl N	Er. Shed	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

File: Rbldg2

SUSPENDED RESOLUTIONS:

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolutions:

Council Member Ruffino moved to suspend the necessary rules for immediate consideration of the following resolutions, seconded by Council Member Amatura, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, RONALD SUROWICK, 107 Stutzman Road, Lancaster, New York, the owner of a parcel of land located on 5352 and 5354 Genesee Street, Lancaster, New York, has petitioned the Town Board of the said Town for the rezone of said property from a Residential Commercial Office District (RCO) to General Business (GB), and

WHEREAS, the Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 5th day of June, 2006, at 8:30 o'clock P.M., Local Time, and that Notice of the Time and Place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town on May 18, 2006 and be posted on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

File: rezoneminiauregolfcourse506

**LEGAL NOTICE
PUBLIC HEARING
5352 AND 5354 GENESEE STREET
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on May 15, 2006, the said Town Board will hold a Public Hearing on the 5th day of June, 2006 at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from a Residential Commercial Office District (RCO) to General Business (GB), and:

5352 Genesee Street

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 5, Section 12, Township 11, Range 6 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 1189, is known as part of Subdivision Lots Nos. 11 and 12 and all of Subdivision Lots Nos. 13 and 14 in Block No. 3 and part of lands conveyed to Walter Love by deed recorded in Erie County Clerk's Office in Liber 1327 of Deeds at page 236, described as follows:

BEGINNING AT A POINT in the center line of Genesee Street, as laid out and as shown on said map filed in Erie County Clerk's Office under Cover No. 1189, at the distance of 715.80 feet westerly from the intersection of said center line of Genesee Street with the center line of Harris Hill Road (Said center line also being the east line of said Lot No. 5);

THENCE westerly along the center line of Genesee Street, 88 feet;

THENCE northerly at right angles with the center line of Genesee Street, 184 feet;

THENCE easterly and parallel with the center line of Genesee Street, 10 feet;

THENCE northerly at right angles, 80 feet to the north line of said Subdivision Lot No. 14;

THENCE westerly along the north line of said Subdivision Lots Nos. 12 and 14, 12 feet;

THENCE northerly at right angles, 98.19 feet;

THENCE southeasterly along the northerly line of lands conveyed to said Walter C. Love by deed recorded in Erie County Clerk's Office in Liber 1327 of Deeds at page 236, 101.80 feet to a point in a line drawn at right angles to Genesee Street;

THENCE southerly along said line drawn at right angles to Genesee Street through the point of beginning, a distance of 314.60 feet to the point or place of beginning.

5354 Genesee Street

ALL THAT TRACT OR PARCEL OF LAND, situate in the Township of Lancaster, County of Erie and State of New York, being part of Lot No. 5, Section 12, Township 11, Range 6 of the Holland Land Company's Survey and according to a map filed in Erie County Clerk's Office under Cover No. 1189, is known as parts of Subdivision Lots Nos. 9, 10, 11, 12, 14, 52, 54 and 55 in Block No. 3, described as follows:

BEGINNING AT A POINT in the center line of Genesee Street as laid out and shown on map filed in Erie County Clerk's Office under Cover No. 1189, distant 803.80 feet westerly from the intersection of said center line of Genesee Street with the easterly line of Lot No. 5;

THENCE northerly along the west line of lands conveyed by Mattie B. Love to Bryant E. Love and Ethel J., his wife by deed recorded in Erie County Clerk's Office in Liber 6180 of Deeds page 488, a distance of 184 feet to the northwest corner of lands conveyed by said deed;

THENCE easterly along the north line of lands so conveyed a distance of 10 feet to a point in the west line of lands conveyed to Mattie B. Love to Bryant E. Love and Ethel J., his wife by deed recorded in Erie County Clerk's Office in Liber 5115 of Deeds page 546;

THENCE northerly along the west line of lands so conveyed a distance of 80 feet to a point in the north line of Subdivision Lot No. 14, according to map filed in Erie County Clerk's Office under Cover No. 1189;

THENCE westerly along the north line of Subdivision Lots Nos. 14 and 12 a distance of 12 feet;

THENCE northerly a distance of 99.19 feet to a point;

THENCE northwesterly at an interior angle of $117^{\circ} 52' 10''$ a distance of 105.20 feet to a point;

THENCE southerly a distance of 411.36 feet to a point in the center line of Genesee Street;

THENCE easterly a distance of 95 feet to the point of beginning.

Full opportunity to be heard will be given to any and all citizens and all parties in+ interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: JOHANNA M. COLEMAN
Town Clerk

May 15, 2006

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, the Town Board adopted a resolution on April 3, 2006 to approve the site plan for a Dunkin Donuts retail store submitted by Genesee Engineering, Planning, Surveying, PC located on the southeast corner of Transit Road and Flix Drive, and

WHEREAS, the Town imposed a condition of the site plan approval in compliance with a directive from New York State Department of Transportation (NYSDOT) in which the NYSDOT directed that the driveway access to Transit Road be removed from the plan since the Dunkin Donuts access to Transit could be provided over the Flix Driveway private road, and

WHEREAS, NYSDOT has now determined that it will approve a curb cut to Transit Road provided the Town consents to same, and

WHEREAS, the Town Board has given due consideration to this circumstance;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan for Dunkin Donuts as it was originally submitted to include a driveway access point from the parking lot directly onto Transit Road as well as its secondary access point over the Flix driveway and rescinds the access limitation to Transit Road recited in the Town Board resolution adopted April 3, 2006.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

File: rspdunkindonuts506

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Lancaster Town Board has been awarded funding through the
Congestion Mitigation Air Quality Program in the amount of \$1,080,000 to develop and
construct a bicycle/pedestrian path in Town, and

WHEREAS, Assembly Majority Leader Paul A. Tokasz has secured the required
matching funds in the amount of \$270,000 through the New York State Dormitory Authority;

NOW, THEREFORE, BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants,
be authorized and directed to complete the necessary application, forms, etc. to be submitted to
the New York State Dormitory Authority for the purpose of securing this grant, and

BE IT FURTHER

RESOLVED, that the Supervisor and Director of Administration and Finance be
and hereby are authorized and directed to execute all documents pertaining to the application
and acquisition of said funding.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 15, 2006

File: rbicyclepedestrianpathgrant506

COMMUNICATIONS & REPORTS:

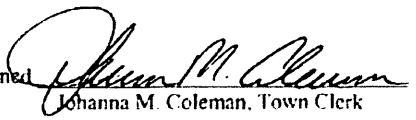
254. Brian J. Schneider to Supervisor, Town Board and Zoning Board -
Letter requesting approval of proposed miniature golf course on Genesee Street.
DISPOSITION = Planning Committee
255. Erie County Legislators Dr. Barry Weinstein, John Mills, and Michael Ranzenhofer to
Town Clerk -
Transmittal of Erie County resolution proposing change in sales tax allocation.
DISPOSITION = Received & Filed
256. General Crew Chief to Planning Board, Council Members Montour, Ruffino, &
Stempniak -
Comments from Town Forestry Department regarding proposed Parkhaven Patio
Homes, w/s of Bowen Road at Broadway due to lack of landscape plan.
DISPOSITION = Planning Committee
257. General Crew Chief to Planning Board, Council Members Montour, Ruffino, &
Stempniak -
Notice of no comments from Town Forestry Department regarding insufficient
landscape plan of proposed D.K. Greene Warehouse, s.e. corner of Cemetery Road
at Erie Street. DISPOSITION = Planning Committee
258. Town Clerk to Town Board -
Transmittal of monthly report for April 2006. DISPOSITION = Received & Filed
259. Village of Lancaster to Town Board -
Minutes of organizational meeting held April 10, 2006. DISPOSITION = Received
& Filed
260. Village of Lancaster to Town Board -
Minutes of regular meeting held April 10, 2006. DISPOSITION = Received & Filed
261. Village of Lancaster to Town Board -
Minutes of regular meeting held April 24, 2006. DISPOSITION = Received & Filed
262. Village of Lancaster to Town Board -
Minutes of special meeting held April 27, 2006. DISPOSITION = Received & Filed
263. Town Clerk to Town Board -
Transmittal of third settlement of 2006 County/Town Tax Warrant. DISPOSITION
= Received & Filed
264. Veterans of Foreign Wars Post 7275 to Town Board -
Invitation to Memorial Day Services and Parade, May 29, 2006, 9:00 AM.
DISPOSITION = Received & Filed
265. The Association of Towns of State of New York to Supervisor -
Letter regarding new policy of State Troopers and the plea bargain process of traffic
tickets. DISPOSITION = Received & Filed
266. The Association of Towns of State of New York to Supervisor -
Transmittal of resolution regarding School Funding. DISPOSITION = Received &
Filed
267. Town of Hamburg to Town Board -
Transmittal of resolution regarding voluntary boycott of Exxon Mobil.
DISPOSITION = Received & Filed
268. Erie County Division of Sewerage Management to Town Attorney -
Letter stating no objections regarding proposed G & K Sewer/ Warehouse, s.e.
corner of Cemetery Road at Erie Street. DISPOSITION = Planning Committee
269. Erie County Division of Planning to Town Attorney -
Comments regarding final plat plan for proposed Parkhaven Patio Homes, w/s of
Bowen Road at Broadway. DISPOSITION = Planning Committee

270. Erie County Division of Highways to Greenman-Pedersen, Inc. -
Comments regarding final plat plan for proposed Parkhaven Patio Homes, w/s of Bowen Road at Broadway. DISPOSITION = Planning Committee
271. NYS DOT to Town Attorney -
Letter stating no comments regarding Traffic Impact Study for proposed Windsor Ridge South Subdivision. DISPOSITION = Planning Committee
272. NYS DEC to Town Attorney -
Notification of Lead Agency Designation regarding proposed G & K Sewer/Warehouse, s.e. corner of Cemetery Road at Erie Street; concerns noted. DISPOSITION = Planning Committee
273. Highway Superintendent to Town Board -
Request to hire seasonal employee. DISPOSITION = Resolution 5/15/06
274. Wm. Schutt & Associates, P.C. to Town Board -
Recommend acceptance of Public Improvements for Country Club Gardens Subdivision, namely street lighting. DISPOSITION = Planning Committee
275. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Deputy Town Attorney, Highway Superintendent, Building Inspector -
Draft copy of minutes of meeting held May 3, 2006. DISPOSITION = Received & Filed
276. Planning Board to Town Board -
Notice of adjournment regarding proposed G & K Sewer Warehouse, s.e. corner Cemetery Road at Erie Street. DISPOSITION = Planning Committee
277. Planning Board to Town Board -
Recommend approval of site plan for Alberti Landscaping warehouse, s.s. of Erie Street, east of Cemetery Road. DISPOSITION = Planning Committee
278. Town Attorney to Town Board, Planning Board -
Notice of SEQR meeting to be held Monday, May 15, 2006, 6:30 PM regarding proposed Alberti Landscaping. DISPOSITION = Received & Filed
279. Town Clerk to Various News Media -
Notice of SEQR meeting to be held Monday, May 15, 2006, 6:30 PM regarding proposed Alberti Landscaping. DISPOSITION = Received & Filed
280. David A. Pyc to Town Board -
Letter regarding lack of sidewalk on a portion of Running Brook Drive. DISPOSITION = Building Inspector
281. The Bank of New York to Lancaster Industrial Development Agency -
Letter regarding agreement to acquire corporate trust business of JPMorgan Chase & Co. DISPOSITION = Received & Filed
282. Town Court Justices Timothy J. Dwan & J. Michael Kelleher to Town Board -
Letter regarding acquisition of surplus furniture and equipment for Town Court offices. DISPOSITION = Received & Filed
283. General Crew Chief to Supervisor -
Request to hire seasonal employees. DISPOSITION = Resolution 5/15/06
284. Town of Hamburg to Town Board -
Transmittal of resolution rescinding voluntary boycott of Exxon-Mobil. DISPOSITION = Received & Filed

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL
MEMBER MONTOUR AND CARRIED, the meeting was adjourned at 9:20 P.M.**

Signed


Johanna M. Coleman, Town Clerk